

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: DAVID J. CLINE et al.) Group Art Unit:
)
Serial No.: Filed Herewith) Examiner:
)
Filed: Filed Herewith)
)
For: APPARATUS FOR DISPENSING)
LIQUIDS AND SOLIDS)

Parent Application:
Serial No. 09/741,356
Filed: December 19, 2000

COPY OF DECLARATION IN DIVISIONAL APPLICATION

Hon. Commissioner for Patents
Washington, D. C. 20231

Sir:

The enclosed copy of a Declaration by the inventors of U.S. Application Serial No. 09/741,356, filed December 1, 2000 and its parent Serial No. 08/752,768, filed November 20, 1996 is being filed herewith for the above-captioned application pursuant to Rule 1.53(b).

Respectfully submitted:

THE WALKER LAW FIRM
A Professional Corporation

Dated: 11/20/2003

By: Allan H. Grant
Allan H. Grant
U.S.P.T.O. Reg. No. 48,851

Attorney for Applicant

THE WALKER LAW FIRM
1301 Dove Street, Suite 450
Newport Beach, Ca 92660
(949) 752-2522

DECLARATION

Utility Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name and signature.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled METHOD AND APPARATUS FOR DISPENSING LIQUIDS AND SOLIDS, the specification of which was filed on February 27, 1998, as Serial No. 09/032,404.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

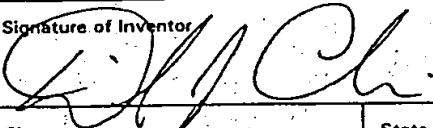
I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.


Application No.	Country	Date of Filing	Priority Yes <input checked="" type="checkbox"/>	Claimed No <input checked="" type="checkbox"/>

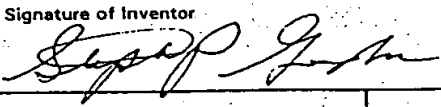
I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

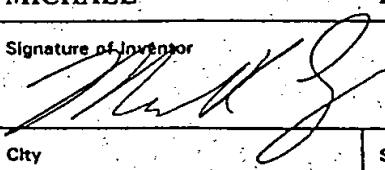
Application No.	Date of Filing	

further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

201	FULL NAME OF INVENTOR	FIRST Name DAVID	Middle Initial(s) J.	LAST Name CLINE	
		Signature of Inventor 		Date 7/9/98	
	RESIDENCE & CITIZENSHIP	City Long Beach	State or Foreign Country CA		Country of Citizenship U.S.
	POST OFFICE ADDRESS	Street Address 11 Trafalgar	City Newport Beach	State or Ctry CA	Zip Code 92660

202	FULL NAME OF INVENTOR	FIRST Name TIMOTHY	Middle Initial(s) S.	LAST Name CLARK	
		Signature of Inventor 		Date 7/3/98	
	RESIDENCE & CITIZENSHIP	City San Francisco	State or Foreign Country CA		Country of Citizenship U.S.
	POST OFFICE ADDRESS	Street Address 1362 Columbus Street, POB 2854	City Granada	State or Ctry CA	Zip Code 94018

203	FULL NAME OF INVENTOR	FIRST Name STEPHEN	Middle Initial(s) P.	LAST Name GORDON	
		Signature of Inventor 		Date 6/29/98	
	RESIDENCE & CITIZENSHIP	City Costa Mesa	State or Foreign Country CA		Country of Citizenship U.S.
	POST OFFICE ADDRESS	Street Address 399 W. Bay St., #B203	City Costa Mesa	State or Ctry CA	Zip Code 92627

204	FULL NAME OF INVENTOR	FIRST Name MICHAEL	Middle Initial(s) R.	LAST Name ENGLE	
		Signature of Inventor 		Date 6/29/98	
	RESIDENCE & CITIZENSHIP	City Long Beach	State or Foreign Country CA	Country of Citizenship U.S.	
	POST OFFICE ADDRESS	Street Address 5988 The Toledo	City Long Beach	State or Ctry CA	Zip Code 90803



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 15, 1998

PTAS

LYON & LYON LLP
JOHN D. MCCONAGHY
633 WEST FIFTH STREET, SUITE 4700
LOS ANGELES, CA 90071-2066



100780387A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/22/1998

REEL/FRAME: 9344/0478
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

CLINE, DAVID J.

DOC DATE: 06/29/1998

ASSIGNOR:

CLARK, TIMOTHY S.

DOC DATE: 06/29/1998

ASSIGNOR:

GORDON, STEPHEN P.

DOC DATE: 06/29/1998

ASSIGNOR:

ENGLE, MICHAEL R.

DOC DATE: 06/29/1998

ASSIGNEE:

FLUID RESEARCH CORPORATION
3505 CADILLAC AVENUE
COSTA MESA, CALIFORNIA 92626

SERIAL NUMBER: 09032404

FILING DATE: 02/27/1998

PATENT NUMBER:

ISSUE DATE:

RECEIVED
OCT 23 1998
U.S. PROSECUTION

9344/0478 PAGE 2

PEARLENE FOSTER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

07-30-1998

FORM PTO-1595
1-31-92U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

RECO



Docket No. 230/169

100780387

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

DAVID J. CLINE, TIMOTHY S. CLARK, STEPHEN P.
GORDON & MICHAEL R. ENGLEAdditional name(s) of conveying party(ies) attached? ☐ Yes
☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date: June 29, 1998

2. Name and address of receiving party:

Name: FLUID RESEARCH CORPORATION

Internal Address:

City: State: Zip:

Street Address: 3505 Cadillac Avenue

City: Costa Mesa State: CA Zip: 92626

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s). 09/032,404

B. Patent No(s):

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: John D. McConaghy

Internal Address: LYON & LYON LLP
633 West Fifth Street, Suite 4700
Los Angeles, CA 90071-2066

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

☒ Enclosed (included with filing fees)☐ Charge this Deposit Account if any additional fee is required

8. Deposit Account Number: 12-2475

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

John D. McConaghy, Reg No. 26,773

Date: July 16, 1998

Total number of pages including cover sheet: 4 (3 pgs. Asg., 1 pg. cover)

OMB No. 0651-0011 (exp. 4/94)

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Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks

Box Assignments

Washington, D.C. 20231

Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of Information Systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project, (0651-0011), Washington, D.C. 20503

ASSIGNMENT

WHEREAS, WE, DAVID J. CLINE, TIMOTHY S. CLARK, STEPHEN P. GORDON and MICHAEL R. ENGLE, citizens of the United States, residing at 5471 Sorrento, Long Beach, California 90803; 797-19th Avenue, San Francisco, CA 94121, 399 West Bay Street, #B203, Costa Mesa, CA 92627 and 5988 The Toledo, Long Beach, CA 90803, respectively, have invented a new and useful METHOD AND APPARATUS FOR DISPENSING LIQUIDS AND SOLIDS, for which application papers for United States Letters Patent were filed February 27, 1998 and awarded Serial No. 09/032,404; and

WHEREAS, FLUID RESEARCH CORPORATION, a corporation organized and existing under and by virtue of the laws of the State of Nevada, having a place of business at 3505 Cadillac Avenue, Costa Mesa, California 92626, is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and all countries foreign thereto:

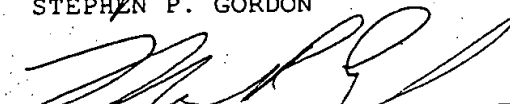
NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, we, DAVID J. CLINE, TIMOTHY S. CLARK, STEPHEN P. GORDON and MICHAEL R. ENGLE, do hereby sell, assign, transfer, and set over unto the said FLUID RESEARCH CORPORATION, its successors and assigns, the full and exclusive right, title, and interest in and to the said invention, and in and to any and all Letters Patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but for, to and in all other countries including all priority rights under the International Convention; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said FLUID RESEARCH CORPORATION, its successors and assigns, in accordance with this Assignment.

WITNESS our hands this 27 day of June, 1998.


DAVID J. CLINE


TIMOTHY S. CLARK


STEPHEN P. GORDON


MICHAEL R. ENGLE

STATE OF CALIFORNIA)
) ss
 COUNTY OF LOS ANGELES)

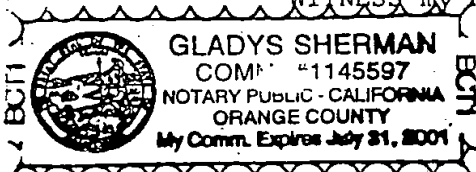
On July 9, 1998 before me, Gladys Sherman,
 personally appeared DAVID J. CLINE,

___ personally known to me

- OR -

☒ proved to me on the basis of satisfactory evidence to be the
 person whose name is subscribed to the within instrument and
 acknowledged to me that he executed the same in his authorized
 capacity, and that by his signature on the instrument the person, or
 the entity upon behalf of which the person acted, executed the
 instrument.

WITNESS my hand and official seal.



Gladys Sherman
 Signature of Notary

STATE OF CALIFORNIA)
) ss
 COUNTY OF San Francisco)

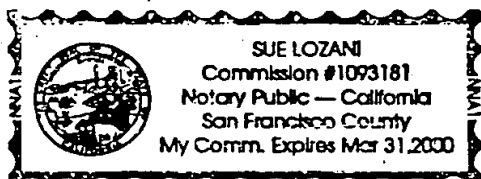
On July 3, 98 before me, Sue Lozani —
 personally appeared TIMOTHY S. CLARK,

___ personally known to me

- OR -

☒ proved to me on the basis of satisfactory evidence to be the
 person whose name is subscribed to the within instrument and
 acknowledged to me that he executed the same in his authorized
 capacity, and that by his signature on the instrument the person, or
 the entity upon behalf of which the person acted, executed the
 instrument.

WITNESS my hand and official seal.



Sue Lozani
 Signature of Notary

STATE OF CALIFORNIA)
) ss
 COUNTY OF Orange)

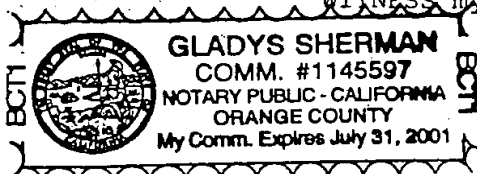
On June 29, 1994 before me, Gladys Sherman,
 personally appeared STEPHEN P. GORDON,

__ personally known to me

- OR -

☒ proved to me on the basis of satisfactory evidence to be the
 person whose name is subscribed to the within instrument and
 acknowledged to me that he executed the same in his authorized
 capacity, and that by his signature on the instrument the person, or
 the entity upon behalf of which the person acted, executed the
 instrument.

WITNESS my hand and official seal.



Gladys Sherman
 Signature of Notary

STATE OF CALIFORNIA)
) ss
 COUNTY OF Orange)

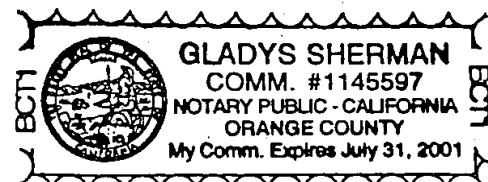
On June 29, 1994 before me, Gladys Sherman,
 personally appeared MICHAEL R. ENGLE,

__ personally known to me

- OR -

☒ proved to me on the basis of satisfactory evidence to be the
 person whose name is subscribed to the within instrument and
 acknowledged to me that he executed the same in his authorized
 capacity, and that by his signature on the instrument the person, or
 the entity upon behalf of which the person acted, executed the
 instrument.

WITNESS my hand and official seal.



Gladys Sherman
 Signature of Notary

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:)

Cline, David et al.)

Serial No.: Filed Herewith)

Title: APPARATUS FOR DISPENSING)

LIQUIDS AND SOLIDS)

Group Art Unit:

Examiner:

POWER OF ATTORNEY

Assistant Commissioner Of Patents

Washington, D.C. 20231

I hereby appoint, Allan Grant, USPTO Registration Number 48,851 as my/our attorney to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

THE WALKER LAW FIRM

1301 Dove Street, Suite 450

Newport Beach, CA 92660

United States

Tel: (949) 752-2522

Fax: (949) &52-0439

I am the Assignee of record of the entire interest:

FLUID RESEARCH CORPORATION

Dated: November 19, 2003

By: RICHARD NARUO

Its: President

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(a))

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Commissioner of Patents, Washington, D.C. 20231.

Date: 11/20/2003

Allan H. Grant
Allan H. Grant, Esq. Reg. No. 48,851